

1 YOUR NAME Shamelle MORRIS
2 YOUR ADDRESS 6544 College Grove Dr
3 YOUR TELEPHONE NUMBER

FILED

2008 FEB -1 PM 4:03

CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY _____ DEPUTY

8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
10 (Must start on line 8 or below)

11 Shamelle MORRIS
12 6544 College Grove Dr #68
13 San Diego, CA 92115
14 -v-
15 Homecomings Financial LLC
16 2711 North Haskell Ave, Ste 100
17 Dallas, TX 75204

Case No. '08 CV 0203 JM RBB
(To be assigned at time of filing)

COMPLAINT FOR (Brief description of document)

18 Plaintiff alleges:

19 Invasion of Regulation Truth &
20 Lending Act - Civil Statute Title
21 5 USC

Recording Requested by
Shamelle Morris,

When Recorded Mail to:
Shamelle Morris
6544 College Grove Drive #68
San Diego, CA 92115

only Space above this line for Recorder use

To:
United States Attorney/ U.S. Secret Service
California Attorney General
880 Front St. Rm 6293
San Diego, CA 92101

QUIET TITLE
Affidavit of information
Affidavit of Obligation/ Truth
"True Bill in Commerce" By the
Petitioner, Shamelle R. Morris,
A.K.A., Creditor.
HOMECOMMINGS FINANCIAL LLC

A) Violation of Federal Civil Rights Act of 1871 and Title 12, 1983, 1984, 1986 Equal protection and Due process of Law, and further violation of Title 5-556d Government employees displaying of the burden of proof or dismissal of action is the evidence of want of Jurisdiction (18 United States Code 4 Federal Rules of Criminal Procedure, Rule 3.

B) Violation/ Invasion of the Emergency Bankruptcy of 1933/ House Joint Resolution 192/ the Bankruptcy Reform Act of 1978

C) Violation of Federal Civil Rights Act of 1871 and Title 12, 1983, 1984, 1986 Equal protection and Due process of Law.

D) Invasion of Regulation Z of the Truth in

Lending
Act and Title 5 USC sections 1635(a)/ Title 12 CFR 226.23(d) (i).

THIS QUIET TITLE AND AFFIDAVIT OF INFORMATION/ TRUE BILL DOES NOT
ARISE FROM THE SUBJECT MATTER OF ANY PREVIOUS DISPUTES IN CLASS

ACTION.

Affidavit of Information/ Affidavit of Obligation (Affidavit of Truth) "True Bill in Commerce" in support of a QUIET TITLE.

I, Shamelle R. Morris, the Complainant/ Affiant in the instant matter, am reporting, by affidavit of obligation, and am giving (Public Notice) to this office believed to be the Competent authorities to which knowledge of criminal action should be reported. This "True Bill in Commerce" Affidavit of Obligation is pursuant to 18 United States Code Section 4 (18 USC 4), the Federal Rules of Criminal Procedure, Rule 3, and Title 18 (18 USC) Section 4 States: "Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals, and does not as soon as possible make known, the same to some Judge or other person in civil or Military authority under the United States, shall be fined not more than \$500.00 or imprisoned not more than three years, or both."

Federal Rules of Criminal Procedure Rule 3 States:

"The complaint is a written statement of the essential fact constituting the offense charged. It shall be made upon oath, before a magistrate."

In order for a crime to exist, four elements must exist. First there must be a clearly defined crime or criminal action. Second, there must be a victim. Third that the victim must have been damaged or injured, and fourth, the criminal intent must be established on the part of the accused. Without proof of all four elements, no action can be considered criminal.

In this matter the complainant affiant is the victim, the Commercial Affidavit set the complained issues and this criminal Complaint defines the crimes, verifies the actual damages, and the intent was established by proof that the accused **President/ Vice President of Homecomings Financial LLC** is using all types of Slander of the Petitioner, Shamelle R. Morris, and handling this instant matter in an un-professional way by not settling this instant matter with the petitioner but has committed an unlawful sale by an assigned trustee on the east county court house steps, in that as all possible bidders could see that the home where Shamelle

Morris resides in peaceful possession is under federal jurisdiction and until a qualified Federal Judge gives an order for / to sale said property any and all forced sale proceeding is unlawful and merits prosecution of the criminals authorizing such , even though the property only reverted back to the bank / Homecomings Financial on paper.

PARTIES OF INTEREST

Petitioner at all times mentioned is **Shamelle R. Morris** Respondent at all times mentioned is 1) **President/ Vice President of Homecomings financial, LLC (F/K/A HOMECOMINGS FINANCIAL NETWORK, INC.)** Loan # 0470443202 and 0470443318. **Epstein, Grindle and Howell a Law Firm?**

STATEMENT OF FACTS

The Ultimate fact that in the state of California there cannot be two foreclosure commencements at the same time, for example [Law suit, Quiet Title Lis Pen den, Foreclosure] proceedings at the same time, also neither can there be a CEO/President/Vice President of a fictitious corporation, a name of the corporation is and who has been currently served under the color office state law after they posted notice as far as there has been a sale they have transferred to another part of Homecomings Financial LLC Therefore, they allegedly sold the property one day before the original sale date. They have further requested for a wire transfer or certified check and the essential that nowhere had they mention in the original Deed of Trust//Unregistered Promissory Note which was not recorded at the county recorder that these instruments were not a legal means of tender, also, in the original Deed of Trust it never mentions as far as certain guidelines that a company check or International Promissory Note even though it was authorized by United Nations Convention does not qualify as a lawful media of payment. Regulation Z of the Truth in Lending Act. As an end result a secondary party protest to the Secretary of the

Treasury and the Comptroller of the Currency, by notary public, all notices of dishonor. Also, due to the affirmative fact of whether I gave lawful money pursuant to Article 1 section 10 of the Constitution for the united States of America or a Letter of Credit, which Article 1 Section 10 prohibits and if so, I, Shamelle R. Morris, who reserve my rights to take my UCC-1 financing Statement that has been registered with the Secretary of the State and demand for settlement and closure pursuant to the Securities and Exchange Commission (Exchange said balance in behalf of my exemption and make adjustment of account and release the property to the Secured Party, Shamelle R. Morris).

The affirmative fact, due to outrageous and unethical behavior, is that Homecomings Financial LLC under the color of law and State office, refused to send all dishonor response to the secondary party and their legal Representative. The ultimate fact is that **Homecomings Financial LLC** is using all types of Slander of the Petitioner, Shamelle R. Morris, and handling this instant matter in an un-professional way by not settling this instant matter with the petitioner. Plaintiff demands to see the original Promissory note signed in blue ink by the Shamelle R. Morris and in proof that plaintiff has and is bound by a debt to Homecomings Financial LLC. If none brought forth, then no debt exists and **Homecomings Financial LLC's Vice President and President are committing terrorist acts and extortion etc. Therefore , I Plaintiff Shamelle Morris pray that the United States Attorney General impose a stay to all proceedings of foreclosure to enactment of justice to plaintiff and the general public at large, as documentation of these and other Sub Prime lender(s) unlawful activities are rampantly known.**

I, Shamelle R. Morris, give notice of the affirmative fact that there was a commercial dishonor, for which I reserved my right to hire a notary public to execute a Notarial Protest for the payment, I exercise my rights by using the guidelines of the United Nations Convention therefore not only was there invasion of the named Convention, but there was also an invasion of Regulation Z of the Truth in Lending Act.. This means that there is no way for me to legally

tender my debts, and one then, can use House Joint Resolution-192 to discharge any debts or obligations, public or private. Due to this outrageous and unethical behavior and business practice of these named Respondents, the public at large is in jeopardy. I, Shamelle R. Morris, bring forth this information to the U.S. District Court for a possible Grand Jury Review and possible indictments. Additionally, as there is no provable direct contract in writing from the plaintiff Shamelle Morris to the Defendant **Homecomings Financial LLC, Shamelle Morris being the Trustor and Grantor of original deed of trust herein exercises her right and does fire any and all beneficiaries and trustees and of the above filing date names irrevocably Shamelle R. Morris as beneficiary and Deborah Bowen as Trustee.**

Domestic Mixed War- a mixed war is one which is made on one side of public authority and the other by mere private person, (Black's Law Dictionary 5th Ed. Page 1420). War does not exist merely because of an armed attack by Military forces of another nation until it is a condition recognized or accepted by political authority of Government, which is attacked either through an actual declaration of war or other acts demonstrating such, criminally under Title 18, Section 4, civilly under Title 42, Section 1983, 1985, 1986, position emphasis added: (Suaser V. Sun Life Assure Co. Of Canada, D.C. 57 F Supp. 620, 621)

Mixed war is the disintegration of peace: Webster's states: "A State of hostility, conflict, or antagonism, a struggle between opposing forces," not necessarily open, violent, armed confrontations, although a continued state of disrupted peace by any forced lead to open armed conflict.

The named Respondents The President/ Vice President of Homecomings Financial LLC did act in their private capacity and are hereby accused of the following crime against humanity, and violation of the rights of the people of this California Republic/ International Communities/ Universal Declaration of Human Rights or obligation are secured, preserved or defined by the Constitution, art.1 sec. 10.

Fraud-

Permitting shown and demonstrated acts of fraud and actively participating in a scheming conspiracy of untruths and misrepresentation to deceive those who entrusted themselves in dealing in good faith, while specifically acting in deliberate bad faith wherein such fraud was shown (Cal. Penal Code sec. 532 18 USC 1001).

Conspiracy-

A confederation of two or more individuals who may not know each other but by their joint effort, commit some unlawful or criminal act. (Black's Law Dictionary). Multiple officials, agents, and other persons named properly noticed by the attached commercial affidavit continue to raise revenue by fraud and extortion, theft of exemption of Shamelle R. Morris and the general public at large. (California Racketeering Act 18 USC 1961 et. Seq.)

Treason-

Treason is defined as the assault against the authority to which one owes allegiance. It is one of three specific crimes named in the United States Constitution. It requires that one commit an act of war against the Constitution or giving aid and comfort to an enemy, such clearly, action by government officer and such private officer who have privileged authority in Commerce by the Constitution, in specific connection to the above violation. Malfeasance of office along with violating their oath of office and in the related connected activities here in as listed below is nothing short of Treason.

In addition to and along with the above cited crimes, the accuser's acting in concert with each other complete such acts as listed as follows:

Racketeering;

Is the combination of the above identified crimes. Title 18 United States Codes Section 1961 (RICO) defines it as involving a host of patterned criminal actions that includes but is not limited to an act or threat of murder, kid napping, gambling, arson, and as in the instant case, robbery, bribery, extortion, Fraud, slavery, misrepresentation, etc..

The explanation of crimes above stem from other hidden crimes being forced upon the general public at large/ the People of this California Republic and the International Communities. Such Crimes and this Affidavit of Information, is registered in the overall context of the Bankruptcy of the United States the, District of Columbia) as per Jurisdiction set for In the U.S. Constitution Article 1, section 8, clause 17, and 18 and Article 4, Section 3, clause 2) the United States Bankruptcy is a direct result of the Federal Reserve act of Dec. 22, 1913, in which the delegated authority of Congress to be Responsible for the Nation's currency was unconstitutional and was clearly reiterated on march 17, 1993 on the floor of the House of Representatives by James Traficant, Jr. (Ohio) addressing the House, it is recorded in the United States Congressional Record, Wednesday, March 17, 1993, vol. 33 page HI303:

"Mr. Speaker, we are here now in chapter 11, member of congress are official trustees presiding over the greatest reorganization of any bankrupt entity in world history. The U.S. Government," he further mentioned, "the U.S. attorney general the "permanent member" to the Secretariat of the Interpol operation and the Secretary of the Treasury , the "alternate permanent member" under article 30 of the constitution , and regulation of Interpol 22 USC 263 (a), the agents are required to renounce their allegiance to their respective countries and expatriate consequently, all "public servant" official, Congressmen, politician, Judges, attorney, law enforcement personnel, the states and their various agencies are express agents of the foreign principal. Private Municipal Corporation in behalf of the United States

A) A Federal Corporation title 28 U.S.C. Section 300(5) chapter 176 mentions in the United States is a Corporation 534 federal supplement 724.

This RICO enterprise should be subject to 28 USC sec 4 of the commission of crimes

cognizable by a court of the United States. Title 18 USC sec 513 mentions: "Whoever makes, utters, or possesses a counterfeited security of a State or political subdivision thereof or of an organization, or whoever makes, utters, or possesses a forged security of a state or political subdivision thereof, or organization with intent to deceive another person, organization, or government shall be fined not more than \$250,000 or imprisoned not more than ten (10) years or both." Among securities defined at 18 USC sec 2311 is included: "evidence" of indebtedness, which in a broad sense may mean anything that is due and owing, which would include a duty, obligation, or right of action.

Waiver of Contractual Right

The failure of either party to enforce one or more provisions of this agreement shall not be construed as a waiver or limitation of that Party's right agreement. I, Shamelle R. Morris, shall not be deemed to have waived right under this agreement unless such waiver is given in writing and signed by the Petitioner. No delay or omission on the part of the Petitioner in exercising a right shall operate as waiver of such right or any other right. A waiver by the Petitioner of a provision of this agreement shall not prejudice or constitute a waiver of the Secured Party's right otherwise to demand strict compliance with that provision or any other provision of this agreement. No prior waiver by Shamelle R. Morris nor any course of dealing between Shamelle R. Morris, and the Debtor, The President/ Vice President of the defendant company's, shall constitute a waiver of the Secured Party's rights or of Debtor obligations under this agreement as to future Transactions, whenever the consent is required under this Agreement, the granting of such consent by the Petitioner in one instance shall not constitute consent over the whole.

UCC 3-103 fraud, misrepresentation, duress, Estoppels, Bankruptcy, principal and agent law of contract.

UCC 3-103. Duty to act in good faith requires honesty not dishonest/ reasonable

Commercial Standard of fair Dealing.

UCC 403. Filing Public Record or upon Acceptance by Filing offer.

UCC 1-201 (11) offer/ consideration/ Acceptance

UCC 1-105 Territorial, Application of the act, practice, Power to choose, Application

Law, choose law, conflict of Law.

Payment of Ten million dollars lawful money per day, U.S. \$10, 000,000.00

<u>Nature of Crime</u>	<u>Damage Penalty</u>	<u>Authority of Damage</u>
Fraud	\$10,000.00	\$ 18USC 1001
2 counts theft of exemption	\$5,000.00	\$ 18 USC 872
From count 3 (felony) (18USC 2112) no	\$250,000.00	\$18USC 3571, 3623
Conspiracy	\$10,000.00	\$18USC, 241
Racketeering (Criminal)	\$25,000.00	\$18USC, 1963
Grand theft Larceny	\$250,000.00 per day	\$18 USC 872

See attachment: bill of exchange upon
default

Subtotal amount, see attachment

(A)

Racketeering (Civil Value) Whatever the actual damages are, that can be proven, multiplied by 3,
triple the damages.

$$\$10,000.00 \times 3 = \$ 18 \text{ USC, } 1964$$

100 Constitutional Violations .

(Human Rights violation) \$9,250,000.00

Partial table total

Racketeering civil penalties \$ upon default

I, Shamelle R. Morris, attest and affirm that the above information mentioned in this affidavit of truth is true and correct to the best of my knowledge and belief.

Dated: 1/30/08 02/01/08

Henceforth Submitted

Shamelle Morris

Shamelle R. Morris, UCC 3-402b, "without

prejudice.

JS 44 (Rev. 11/04)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

Shanelle Morris
6544 College Grove Drive #68
San Diego, CA 92115

(b) County of Residence of First Listed Plaintiff San Diego
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

Self

DEFENDANTS Home Depot Financial
2711 N. Harbor Blvd., Suite 111, San Diego, TX 75204

County of Residence of First Listed Defendant San Diego
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE
BY LAND INVOLVED DEPUTY

Attorneys (If Known)

08 CV 0203 JM RBB

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State PTF ☒ DEF ☐ Incorporated or Principal Place of Business in This State PTF ☒ DEF ☐
- Citizen of Another State ☐ 2 ☐ 2 Incorporated and Principal Place of Business in Another State ☐ 3 ☐ 3
- Citizen or Subject of a Foreign Country ☐ 3 ☐ 3 Foreign Nation ☐ 6 ☐ 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input checked="" type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 861 HIA (1395m) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609
				<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes

V. ORIGIN

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Recopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 470
 Brief description of cause: Invasion of Regulation Truth in Lending Act Civil Statute
Rackett 1115

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

Shanelle Morris 2/1/08

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE